IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.2444 OF 2004
IN
WRIT PETITION NO.6109 OF 2004

Shri. Namdeo Atyaba Kokane ..Applicant.
Vs.
Shri. Ramchandra Atyaba Kokane & Ors. .. Respondents.

....

Mr. P.P. Chavan with Mr. Prasanna Sarpotdar for the applicant.
Mr. Sanjay Kale for respondent No.1.
Mr. A.P. Vanarase, AGP for respondent Nos.2 to 5.

....

CORAM : S. RADHAKRISHNAN &
DR.D.Y.CHANDRACHUD, JJ.

23rd November, 2004.

P.C. :

1. Rule, made returnable forthwith. Learned counsel for the respondents waive service. Heard learned counsel for the applicant and the respondents.

2. By this application, the applicant is seeking recall of our order dated 3rd November, 2003 dismissing the writ petition in default.

3. Perused the Civil Application. For the reasons stated therein,

sufficient cause is made out. There is no inaction, negligence or want of bonafides on the part of the applicant. The Civil Application is made absolute in terms of prayer clauses (a), (a-i) and (b).

The Petition be placed on Board for admission on 6th December, 2004.

S.RADHAKRISHNAN, J.

DR.D.Y.CHANDRACHUD, J.